



June 10, 1999

Mr. Charles J. Breaux, Jr.  
Administrative Assistant to the Sheriff  
Jefferson County  
1001 Pearl Street  
Beaumont, Texas 77701

OR99-1632

Dear Mr. Breaux:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 126889.

The Jefferson County Sheriff's Office received a request for the "name of the person or company who posted bond in the amount of \$75,000 for Melvin Schroeder Jr." You assert that the requested information is excepted from public disclosure by the doctrine of common-law privacy as encompassed by section 552.101 of the Government Code.

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 552.101 incorporates the doctrine of common-law privacy. *Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977). Common-law privacy excepts from disclosure private facts about an individual. *Id.* Therefore, information may be withheld from the public when (1) it is highly intimate and embarrassing such that its release would be highly objectionable to a person of ordinary sensibilities, *and* (2) there is no legitimate public interest in its disclosure. *Id.* at 685; Open Records Decision No. 611 at 1 (1992).

We have reviewed the submitted information and conclude that the requested information is of legitimate public interest. Therefore, you may not withhold the requested information under section 552.101 in conjunction with common-law privacy.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Yen-Ha Le

Assistant Attorney General  
Open Records Division

YHL/nc

Ref.: ID#126889

Encl.: Submitted document

cc: Mr. Roger Cline  
Staff Writer  
Port Arthur News  
549 4<sup>th</sup> Street  
Port Arthur, Texas 77640  
(w/o enclosures)